

## U. S. Asks Court Bar Questions On Castro Foes in Miami Are

Judges in General Sessions  
Halt Line of Testimony  
in Molina Trial

By PETER KINSS

An unidentified United States agency has asked that questions about activities in the Miami area by Cubans seeking the overthrow of Premier Fidel Castro be barred in a trial under way here.

The agency's intervention became known while, independently, the Fair Play for Cuba Committee called yesterday for a Congressional investigation of the Central Intelligence Agency. Richard Gibson, acting national secretary of the committee, said he based his call on Wednesday's announcement of a "Revolutionary Council" set up by the two major anti-Castro groups here, with Jose Miró Cardona to become Provisional President for a projected regime.

For the second successive day prosecution witnesses in the murder trial of Francisco Molina in General Sessions Court refused on constitutional grounds to say whether they had attended meetings in the Miami area in which military matters were discussed. Judge Mitchell D. Schweitzer sustained their invoking of Fifth Amendment protection against self-incrimination.

Assistant District Attorney Alexander Herman was authoritatively reported to have told the judge Wednesday that "an agency of the Federal Government has requested me to convey to Your Honor that no questions be permitted of this, or other witnesses, with reference to activities about which I know nothing of my own knowledge but which concern activities in the Miami area, aside from what this witness has testified so far."

### Defense Protest Futile

Judge Schweitzer noted that the witness—Carlos Duquesne, 18 years old, who had come from Cuba in September, 1959, and joined the anti-Castro Student Directorate two months later—was opposing the present Cuban Government. The judge said he saw no useful purpose in probing further.

Samuel A. Neuburger, defense counsel, vainly moved for a mistrial. He argued that he wanted to show that witnesses against his client might go to lengths against their political adversaries.



The New York Times  
Richard Gibson

Mr. Duquesne then refused to answer a question on whether he had attended any meeting at which military affairs were discussed. A similar refusal came yesterday from Jesus Artigas, 21, who said he left Cuba last August and helped organize a "Workers in Exile" movement in Florida.

Molina is on trial for the fatal shooting of a 9-year-old Venezuelan girl during a fight among Cubans in an Eighth Avenue restaurant last Sept. 21. Another witness testified yesterday that Molina, a 28-year-old Cuban, had taunted others present as "traitors sold to Yankee imperialism."

### Admonition Cited

Mr. Neuburger had argued in court that he should not be limited in his cross-examination. The United States Supreme Court, he said, has admonished prosecutors that if matters harmful to the security of the country might come up, it might be better procedure to terminate a prosecution. Otherwise, he said, it was up to the prosecution to accept responsibility for disclosure.

In the Fair Play statement, Mr. Gibson said there had been repeated reports of C. I. A. support of an anti-Castro enterprise. It had been known, he said, that "mercenary forces have been using Florida as a training area and staging point for attacks against Cuba," and that invasion forces were being recruited in New York, Los Angeles and elsewhere. Reckless C. I. A. action, he said, could "lead this country will-nilly into a major war."

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